

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAPHAEL RUSSELL,

Plaintiff,

v.

BANK OF AMERICA, *et al.*,

Defendants.

No. C15-0306RSL

NOTICE TO POTENTIAL
CLAIMANTS

This matter comes before the Court on the “Motion to Foreclose Attorney’s Claim of Lien, and for Order Directing Disbursement to Guy W. Beckett.” Dkt. # 62. Mr. Beckett briefly represented Mr. Russell in this matter and seeks a disbursement of certain funds that are being held in the Court’s registry. As between Mr. Beckett and Mr. Russell, Mr. Beckett is entitled to a reasonable hourly rate for the number of hours reasonably expended on the representation. Mr. Beckett and Mr. Russell are not the only claimants with an interest in the funds, however. The funds were deposited by defendant Service Link, the escrow agent that closed a mortgage refinance for plaintiff in 2008. Pursuant to the instructions provided by the lender, Service Link was to distribute \$5,060.00 to “Prince Law Firm” and \$4,024.00 to “Darling Sons.” At closing, plaintiff objected to those disbursements, and Service Link remained in possession of the funds. When this lawsuit was filed, Service Link acknowledged that it had no interest in the funds and was granted leave to deposit them into the registry of the Court.


NOTICE TO POTENTIAL CLAIMANTS

1 Prince Law Firm and Darling Sons seem to have an interest related to this action that may
2 be impaired if the matter were resolved in their absence. Whether Mr. Beckett's claim has
3 priority over the payees designated in the closing documents is unclear, as is the continuing
4 validity of their claim, if any. The Court finds that notice to both entities is appropriate.
5

6 All parties to this litigation and Mr. Beckett are therefore ORDERED to make efforts to
7 identify and locate the "Prince Law Firm" and "Darling Sons" to whom monies were to be
8 dispersed as part of the 2008 refinance transaction. To the extent the parties and/or Mr. Beckett
9 are able to locate these entities, they shall mail a copy of this Order to Prince Law Firm and
10 Darling Sons, including the attached notice. Each party and Mr. Beckett shall file a certificate of
11 service stating when the documents were mailed to the potential claimants.
12

13 The Clerk of Court is directed to renote Mr. Beckett's motion to foreclose attorney's lien
14 (Dkt. # 62) on the Court's calendar for Friday, June 10, 2016.
15

16 Dated this 29th day of April, 2016.

17 
18 Robert S. Lasnik
19 United States District Judge
20
21
22
23
24
25
26

NOTICE TO POTENTIAL CLAIMANTS

In the case of Russell v. Bank of America, C15-0306RSL (W.D. Wash.), plaintiff Raphael Gordon Russell and third-party Guy W. Beckett claim an interest in funds that are currently being held in the Court's registry. The funds were originally to be paid to "Prince Law Firm" and "Darling Sons" as part of the closing of a 2008 loan transaction between Mr. Russell and Countrywide Bank, FSB. If you intend to assert a claim to the funds or any portion thereof, you must file a claim in the above-captioned matter within twenty-eight days of receipt of this notice. The claim may be in the form of a letter addressed to the Clerk of Court, 700 Stewart Street, Seattle, WA 98101, and referencing this litigation. The claim shall identify the amount claimed, state the circumstances establishing your entitlement to that amount, and provide any evidence that supports your claim. Failure to timely assert a claim will result in a waiver of any rights to the funds.